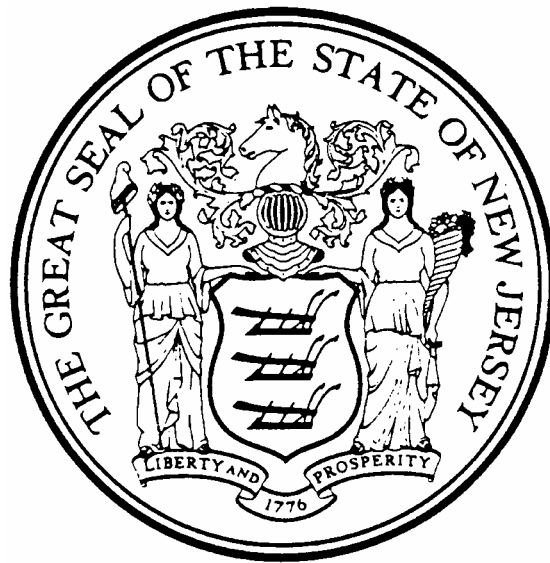


# STATE OF NEW JERSEY CASINO CONTROL COMMISSION



## BUSINESS ENTITY DISCLOSURE FORM HOLDING COMPANY

*(The Business Entity Disclosure Form - Holding Company to be used ONLY by entity owners of non-gaming casino service industries.  
This form is NOT to be used by holding companies of applicants for the issuance or renewal of casino licenses.)*

# BUSINESS ENTITY DISCLOSURE FORM – HOLDING COMPANY

(The Business Entity Disclosure Form – Holding Company to be used **ONLY** by entity owners of non-gaming casino service industries. This form is **NOT** to be used by holding companies of applicants for the issuance or renewal of casino licenses.)

**NAME OF ENTERPRISE\*** (DO NOT ABBREVIATE)

\*NAME AS IT APPEARS ON THE CERTIFICATE OF INCORPORATION, CHARTER, BY-LAWS, PARTNERSHIP AGREEMENT OR OTHER OFFICIAL DOCUMENT.

D/B/A OR TRADE NAME(S)

## PERSON TO BE CONTACTED IN REFERENCE TO THESE FORMS:

NAME

TITLE

TELEPHONE: (AREA CODE) NUMBER

FAX NO. (IF AVAILABLE)

**THE PRINCIPAL BUSINESS ADDRESS OF THE ENTERPRISE. BE SURE TO INCLUDE THE STREET LOCATION OF THE ENTERPRISE, SHOULD YOUR MAILING ADDRESS BE DIFFERENT.**

STREET LOCATION (NUMBER/STREET)

CITY

STATE

ZIP

COUNTRY

TELEPHONE: (AREA CODE) NUMBER

FAX NO. (IF AVAILABLE)

MAILING ADDRESS (IF DIFFERENT)

CITY

STATE

ZIP

COUNTRY

This form is being submitted because this enterprise has been identified as a holding company or principal stockholder of:

If the enterprise noted above is not an applicant for a casino service industry license, please identify the enterprise which is the applicant and for which this form is being prepared as part of that application:

-----**FOR STATE OF NEW JERSEY USE ONLY**-----

VRF	LOG#	FILED DATE	FOR RENEWAL – TIME PERIOD

**IMPORTANT:** A complete copy of the entire Business Entity Disclosure Form-Holding Company, including all attachments, must be submitted with the original. The entire application will be returned if a copy is not included.

**NOTE:** For purposes of this application, "enterprise" shall be defined to include any corporation, association, operation, firm, partnership, trust or other form of business association, as well as a natural person.

**ITEM 1. PRIOR NAMES AND ADDRESSES OF THE ENTERPRISE**

- A. List all other names under which the enterprise has done business for the last five years.

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- B. List other addresses from which the enterprise has done business within the last five years.

NUMBER AND STREET	CITY	STATE	ZIP	DATES	
				FROM:	TO:

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 1B.

**ITEM 2. DESCRIPTION OF ENTERPRISE**

- A. Specify the business form of this enterprise (that is, corporation, partnership, trust, joint venture, sole proprietorship or otherwise). \_\_\_\_\_

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- B. Please submit a copy of the certificate of incorporation, charter, by-laws, partnership agreement, trust agreement or other basic documentation of the enterprise, if any. This document must be labeled as ITEM 2B.

- C. If the enterprise is a publicly traded corporation, please indicate below on what exchange its stock is traded and under what name. \_\_\_\_\_

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- D. Provide below this enterprise's Federal Employer Identification Number (FID#).

FID #   -

☐ Check box if applied for

E. Please state the nature of business of your enterprise.

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**ITEM 3. GOVERNMENTAL REGULATION**

A. Is the enterprise subject to regulation by a public agency in this State or any other jurisdiction?

☐ Yes ☐ No

If yes, identify the public agency and its location, and describe the nature and extent of the regulation as it affects this enterprise (for example control of rates, individual qualifications, criminal records, etc.)

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B. During the last five year period, has the enterprise ever had any license or certificate issued by a government agency in this State or any other jurisdiction denied, suspended or revoked?

☐ Yes ☐ No

If yes, state the name and nature of the license or certificate denied, suspended or revoked, the name and location of the government agency taking such action, and the date and reason for each such action in the following tabular form:

TYPE OF LICENSE OR CERTIFICATE	NAME AND LOCATION OF GOVERNMENTAL AGENCY	ACTION TAKEN	DATE	REASON

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 3B.

**ITEM 4. FINANCIAL INFORMATION**

- A. If the enterprise has audited financial statements prepared, submit 2 copies of the most recently prepared statement and auditor's report. Mark both the statement and report as ITEM 4A.
- B. If the enterprise does not normally have its financial statements audited, submit 2 copies of the most recently prepared unaudited financial statement and mark such statement as ITEM 4B. (If the enterprise has neither an audited or unaudited financial statement prepared, please note same below this paragraph.)
- C. Please include 2 copies of the most recently filed federal and state tax returns, in full, including all attachments, schedules and extension requests. Mark each return and schedule as ITEM 4C.
- D. Has the enterprise had any petition under any provision of the Federal Bankruptcy Act or under any State insolvency law filed by or against it in the last five-year period?

☐ Yes ☐ No

If yes, provide the following information in tabular form:

COURT NAME	COURT LOCATION	TYPE OF PETITION	DATE FILED	OFFICIAL NAME OF CASE

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 4D.

- E. Has the enterprise sought relief under any provision of the Federal Bankruptcy Act or under any State insolvency law in the last five-year period?

☐ Yes ☐ No

If yes, provide the following information in tabular form:

COURT NAME	COURT LOCATION	NAME OF CASE	RELIEF SOUGHT	DATE FILED

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 4E.

- F. Has any receiver, fiscal agent, trustee, reorganization trustee or similar officer been appointed, in the last five year period, by a court for the business or property of the enterprise?

☐ Yes ☐ No

If yes, provide the following information in tabular form:

NAME OF PERSON APPOINTED	DATE APPOINTED	COURT	REASON

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 4F.

**ITEM 5. CRIMINAL HISTORY**

Has the enterprise been indicted, charged with or convicted of a criminal or disorderly persons offense or been a party to or named as an unindicted co-conspirator in any criminal proceeding in this State or any other jurisdiction?

☐ Yes ☐ No

If yes, provide the information requested in the following tabular form:

NATURE OF CASE	NAME AND ADDRESS OF COURT OR AGENCY	RESULT OF CASE	DATE OF CONVICTION

Should you require additional space, attach a separate sheet in the same format and label it ITEM 5.

**ITEM 6. ANTITRUST, TRADE REGULATION AND SECURITIES JUDGMENTS:  
STATUTORY AND REGULATORY VIOLATIONS**

A. Has the enterprise ever had a judgment, order, consent decree or consent order pertaining to a violation or alleged violation of the federal antitrust, trade regulation or securities laws, or similar laws of any state, province or country entered against it?

☐ Yes ☐ No

B. In the past ten years has the corporation had a judgment, order, consent decree or consent order pertaining to any state or federal statute, regulation or code that resulted in a fine of \$50,000 or more entered against it:

☐ Yes ☐ No

If yes to either question, provide the following information for each judgment, order, consent decree or consent order:

DATE OF OFFENSE	NATURE OF OFFENSE	TITLE OF CASE AND DOCKET NUMBER	NAME AND ADDRESS OF COURT OR AGENCY	NATURE OF JUDGMENT, DECREE OR ORDER	DATE ENTERED

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 6.

## **ITEM 7. QUALIFIERS**

Please indicate all persons or entities in your company that correspond to the sub-items listed below. If any of the sub-items (A) through (F) do not apply, please indicate "Does Not Apply" directly on this form. For those listed below, complete the information on the next page in the format indicated.

**NOTE: A CASINO SERVICE INDUSTRY QUALIFIER DISCLOSURE FORM MUST BE COMPLETED BY EVERY PERSON NOTED IN ITEM 7F BELOW. IN ADDITION, THE COMMISSION MAY, IN ITS DISCRETION, ORDER ADDITIONAL PERSONS ASSOCIATED WITH THE ENTERPRISE TO FILE SUCH A FORM IF IT APPEARS THAT SUCH PERSONS SHOULD BE QUALIFIED IN ORDER TO EFFECTUATE THE PURPOSES OF THE CASINO CONTROL ACT.**

A. All officers of the enterprise.

B. All inside directors\* of the enterprise.

\*An inside director is defined at N.J.A.C. 19:51-1.1 as:

"...a director of a casino service industry applicant or licensee or holding or intermediary company thereof who is also an officer or employee of the applicant or licensee or the holding or intermediary company of which he or she is director."

C. All partners, whether general, limited or otherwise.

D. Each natural person or business entity that **directly** holds any beneficial or ownership interest of five percent or more of the holding company for which this form is being submitted.

E. Any trustee of the enterprise.

F. Each natural person, regardless of their level in the ownership chain, who **indirectly** holds any beneficial or ownership interest of ten percent or more of the enterprise applying for this license.

For every person or entity noted in Items 7 A through F on the previous page, please provide the information requested in the following tabular form:

NAME	DATE OF BIRTH	HOME ADDRESS	TITLE, POSITION OR ASSOCIATION WITH THE ENTERPRISE	% OF OWNER-SHIP

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 7A, 7B, etc.



## **ITEM 8. AFFIDAVITS AND SIGNATURES**

Pursuant to the regulations of the Commission, N.J.A.C. 19:41-7.10, this form must be sworn to or affirmed, signed and dated before a person legally competent to take an oath or affirmation who shall himself date the signature of the affiant and indicate the basis of his authority to take oaths and affirmations.

Each of the following persons must complete an affidavit attesting to the truth of the information in this form:

- (a) if the enterprise is a corporation, the president or any officer so authorized to affirm;
- (b) if the enterprise is a partnership, each of the partners; if a limited partnership, only by each of the general partners;
- (c) if the enterprise is any other business form, organization or association, the president or any officer so authorized to affirm;
- (d) if the enterprise is a sole proprietorship, the natural person who is the proprietor.

Each required affidavit must be identical to the model that appears on the next page of this form.

## AFFIDAVIT

STATE OF \_\_\_\_\_:

COUNTY OF \_\_\_\_\_: SS:

I, \_\_\_\_\_, hereby acknowledge that  
(NAME)

I am aware that the Commission may deny a license to any applicant which supplies information to the Commission or Division of Gaming Enforcement which is untrue or misleading as to a material fact pertaining to the qualification criteria.

Further I, \_\_\_\_\_, hereby swear  
(NAME)

(or affirm) that the foregoing statements made by me on behalf of \_\_\_\_\_  
(NAME OF ENTERPRISE)

\_\_\_\_\_ are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(TYPE, STAMP OR PRINT NAME)

\_\_\_\_\_  
(TITLE OR POSITION)

Subscribed and sworn to

before me this \_\_\_\_\_ day

of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
NOTARY

\_\_\_\_\_  
SEAL OR AUTHORITY OF NOTARY

**ITEM 9. RELEASE AUTHORIZATION; NOTICE**

Pursuant to N.J.A.C. 19:41-5.8(b)2 each enterprise must have the attached "Release Authorization" properly signed, dated and notarized. The attached "Notice" must also be acknowledged by a proper signature and date.

Each document must be signed by the following person:

- (a) if the enterprise is a corporation, the president or any officer so authorized to execute such a document and bind the corporation;
- (b) if the enterprise is a partnership, a partner;
- (c) if the enterprise is a limited partnership, a general partner;
- (d) if the enterprise is any other business form, organization or association, the president or any officer so authorized to execute such a document and bind the enterprise;
- (e) if the enterprise is a sole proprietorship, the natural person who is the proprietor.

## **RELEASE AUTHORIZATION**

To All Courts, Probation Departments, Selective Service Boards, Employers, Educational Institutions, Banks, Financial and Other Such Institutions, and all Governmental Agencies – federal, state and local, without exception, both foreign and domestic.

On behalf of \_\_\_\_\_  
(NAME OF ENTERPRISE)

I, \_\_\_\_\_, have  
(NAME OF PRESIDENT, OFFICER, PARTNER OR SOLE PROPRIETOR)

authorized the New Jersey Casino Control Commission and the New Jersey Division of Gaming Enforcement to conduct an investigation into the background of the said enterprise.

Therefore, you are hereby authorized to release any and all information pertaining to the said enterprise, documentary or otherwise, as requested by any employee or agent of the Division of Gaming Enforcement or the Casino Control Commission, provided that he or she certifies to you that said enterprise has an application pending before the Casino Control Commission or that said enterprise is presently a licensee or registrant required to be qualified under the provisions of the Casino Control Act.

This authorization shall supersede and countermand any prior request or authorization to the contrary.

A photostatic copy of this authorization will be considered as effective and valid as the original.

\_\_\_\_\_  
(SIGNATURE)

Sworn and subscribed to

before me this \_\_\_\_\_ day

of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
NOTARY

\_\_\_\_\_  
SEAL OR AUTHORITY OF NOTARY

## **NOTICE**

1. Information supplied to the Commission and Division of Gaming Enforcement or otherwise obtained by either of them is confidential and shall not be revealed except in the course of the necessary administration of the Casino Control Act, or upon the lawful order of a court of competent jurisdiction, or with the approval of the Attorney General, to a duly authorized law enforcement agency pursuant to section 74 of the Casino Control Act. Nevertheless, an applicant or licensee waives any liability of the State of New Jersey and its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, pursuant to section 80 of the Casino Control Act.
2. An applicant for, or the holder of a license or registration under the Casino Control Act is subject to inspections, searches and seizures as authorized by the Act and by the regulations of the Commission. More specifically, section 79 of the Act, N.J.S.A. 5:12-79, empowers the Division of Gaming Enforcement to conduct searches, administrative inspections and, with the approval of its director, to "inspect the person, and personal effects present in a casino facility licensed under this act, of any holder of a license or registration issued pursuant to this act while that person is present in a licensed casino facility."
3. Pursuant to an amendment to section 92 of the Casino Control Act that became effective on September 1, 2001, no casino service industry license shall be issued to any person unless that person shall provide proof of valid business registration with the Division of Revenue in the Department of Treasury. The amendment to section 92 also provides that a licensed casino service contractor under contract with a casino applicant or licensee may not enter into any subcontract unless the subcontractor first provides the licensed contractor with proof of the subcontractor's business registration. The licensed casino service contractor is responsible for forwarding proof of the subcontractor's business registration to the Department of Treasury's Division of Taxation.

Effective September 1, 2001, businesses that register with the Division of Revenue are issued a business registration certificate. This certificate will serve as proof of valid business registration for purposes of casino service industry licensure.

If the prospective applicant for issuance or renewal of a casino service industry license has not registered with the Division of Revenue as required by New Jersey law, it can do so by utilizing the Division of Revenue's online registration service at <https://www.state.nj.us/treasury/revenue/dcr/reg/dcrnew01.prod.htm>, by calling the Registration Hotline at (609) 292-1730 to obtain a paper registration form, or by downloading a paper registration form from the Internet at

www.state.nj.us/treasury/revenue/revprnt.htm. Once the prospective license applicant has registered with the Division of Revenue, that agency will send the prospective license applicant a business registration certificate.

Receipt of Notice

Acknowledged on Behalf Of: \_\_\_\_\_

On: \_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(TYPE, STAMP OR PRINT NAME)

\_\_\_\_\_  
(TITLE OR POSITION)

REVISED: DECEMBER 2001  
SUPERSEDES: FEBRUARY 1999